

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

JAMES S. NOLAND,

Plaintiff,

v.

No. CIV-08-0056 JB/LFG

CITY OF ALBUQUERQUE; BERNALILLO COUNTY BOARD
OF COMMISSIONERS; BERNALILLO COUNTY METROPOLITAN
DETENTION CENTER; Bernalillo County Metropolitan
Detention Center Administrator HARRY TIPTON, in his
individual and official capacities; Bernalillo County Metropolitan
Detention Center Administrator MIKE SISNEROS, in his individual and
official capacities; Bernalillo County Metropolitan Detention Center Administrator
RONALD TORRES, in his individual and official capacities; Bernalillo
County Metropolitan Detention Center Administrator HENRY PEREA,
in his individual and official capacities; Bernalillo County Metropolitan
Detention Center Administrator DONALD CRUTCHFIELD, in his
individual and official capacities; Bernalillo County Metropolitan Detention
Center Administrator MATT CANDELARIA, in his individual and official
capacities; Bernalillo County Metropolitan Detention Center Administrator
JUAN CHACON, in his individual and official capacities; Bernalillo County
Metropolitan Detention Center Administrator MATT ELWELL, in his
individual and official capacities; Bernalillo County Metropolitan Detention
Center Administrator PAUL SALCIDO, in his individual and official capacities;
Bernalillo County Metropolitan Detention Center Administrator ERIN WORSHAM,
in her individual and official capacities; Bernalillo County Metropolitan
Detention Center Correctional Officer DANNY SISNEROS, in his individual and
official capacities; Bernalillo County Metropolitan Detention Center Correctional
Officer ERNEST WICKAM, in his individual and official capacities;
Bernalillo County Metropolitan Detention Center Correctional Officer JOSE
HERNANDEZ, in his individual and official capacities,

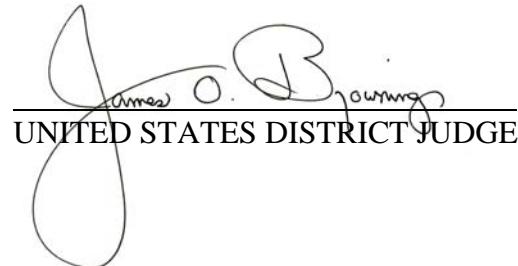
Defendants.

ORDER

THIS MATTER comes before the Court on pro se Plaintiff James S. Noland's Motion to
Adopt Proposed Scheduling Order, filed April 14, 2009 (Doc. 55). Noland prepared his motion
without the Defendants' participation and submitted a proposed scheduling order before the Court

set a scheduling conference. Noland's unilateral request for a scheduling order was contrary to the Federal Rules of Civil Procedure. See Fed. R. Civ. P. 16(b); id. 26(f). The Court has set a scheduling conference for October 28, 2009, see Initial Scheduling Order, filed September 30, 2009 (Doc. 63), and the parties have now submitted a joint status report and provisional discovery plan, see Doc. 68. The Court will, therefore, deny Noland's motion.

IT IS ORDERED that the Motion to Adopt Proposed Scheduling Order (Doc. 55) is denied.



James O. B. Cowing
UNITED STATES DISTRICT JUDGE

Counsel and Parties:

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Pro Se Plaintiff

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